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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**  
-----X  
SEA CHANGE INTERNATIONAL, INC.

Plaintiff, :  
-----X  
-against- :  
FEDERAL EXPRESS COMPANY. :  
-----X

JOINT PROPOSED SCHEDULING  
ORDER

PT

Plaintiff, Sea Change International, Inc., and Defendant, Federal Express Corporation, by and through their respective counsel, propose the following scheduling order in this matter.

1. Description of the case

(a) Plaintiff: Rubin, Fiorella & Friedman, LLP, by Patrick J. Corbett, Esq.,

Defendant: Newman, Fitch, Altheim & Myers by Olivia Gross, Esq.

(b) Basis for federal jurisdiction: 28 U.S.C. §1331, breach of contract for failure to deliver air cargo in interstate commerce.

## (c) Claims and Counterclaims:

Plaintiff: Defendant, after agreeing to transport, delivered the cargo in a damaged condition; accordingly, Defendant is liable for the value of the damaged cargo, in the amount of \$71,126.88.

Defendant: Failure to file claim timely; and limitations of liability in the contract of carriage.

## (d) Legal Issue: Whether claim was filed timely and whether limitations of liability apply.

Factual Issue: Whether claim was timely and properly filed and the amount of damages, if any.

## (e) Relief sought: Payment of value of damages.

2. (a) There are no pending motions.
- (b) Cut off date for joinder of additional parties: April 7, 2008.
- (c) Cut off date for amendment to pleadings: April 7, 2008.
- (d) (i) Rule 26 (a)(1) disclosure: by March 31, 2008.
- (ii) Fact discovery completion date: September 7, 2008.
- (iii) Rule 26 (a)(2) disclosures (including expert reports):

Plaintiff, by September 30, 2008.

Defendant, by October 30, 2008.

- (iv) Expert depositions to be completed by November 30, 2008.
- (e) Dispositive motions by December 31, 2008.
- (f) Pre-trial Order by November 30, 2008.
- (g) Trial schedule

- (i) No jury trial
- (ii) 1 day
- (iii) February 15, 2009.

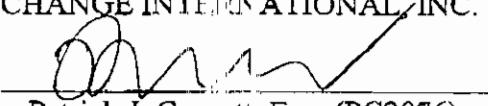
3. Plaintiff/Defendant counsel are consulting with their respective clients and will advise within 30 days whether or not they consent to trial by a Magistrate Judge.
4. No settlement discussion have been had. The parties request a settlement conference.

Dated: New York, New York  
February 27, 2008

*s. A status conference shall be held  
on Sept. 12, 2008  
at 10:00 a.m.*

Respectfully submitted,

**RUBIN, FIORELLA & FRIEDMAN LLP**  
Attorneys for Plaintiff  
**SEA CHANGE INTERNATIONAL, INC.**

By: 

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NEWMAN FITCH AND EIM MYERS, P.C.  
Attorneys for Defendant  
FEDERAL EXPRESS CORPORATION  
Incorrectly sued as Federal Express Company

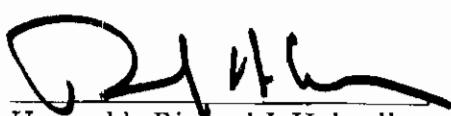
By: 

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Of Counsel:

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**SO ORDERED:**

  
Honorable Richard J. Holwell

3/12/08